

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re application of:  
Timothy A. COLEMAN  
Appl. No.: 09/921,143  
Filed: August 3, 2001  
For: **Vascular Endothelial Growth Factor 2**

Confirmation No.: 6449  
Art Unit: 1636  
Examiner: Qian, Celine X.  
Atty. Docket: 1488.100000N/HCC/PAC

**Ninth Supplemental Information Disclosure Statement  
Filing Under 37 C.F.R. § 1.97(b)**

***Mail Stop Amendment***

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Forms PTO/SB/08A and PTO/SB/08B are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. This Ninth Supplemental Information Disclosure Statement is a continuation of the Applicant's Eighth Supplemental Information Disclosure Statement filed April 11, 2005, in connection with the above-captioned application.

Copies of documents **FP1-FP12** and **NPL1-NPL49** are submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), copies of U.S. patents and patent application publications, documents **US1-US9**, cited on the attached Form PTO/SB/08A are not submitted.

The listed documents became available to Applicants' undersigned representative on the following dates:

Document **NPL48** on February 17, 2006; and

Document **NPL49** on March 14, 2006.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicant has listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.

It is respectfully requested that the Examiner initial and return copies of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

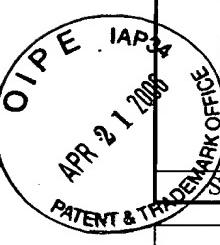


Paul A. Calvo  
Agent for Applicant  
Registration No. 57,913

Date: 4/19/06

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Substitute for form 1449/PTO		<i>Complete if Known</i>	
<b>NINTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>		Application Number	09/921,143
		Filing Date	August 3, 2001
		First Named Inventor	Coleman, Timothy A.
		Art Unit	1636
		Examiner Name	Qian, Celine X.
Sheet	1	of	2
		Attorney Docket Number	1488.100000N/HCC/PAC

## **U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if Known)			
	US1	5,652,225	07/29/1997	Isner	
	US2	5,661,133	08/26/1997	Leiden and Barr	
	US3	5,693,622	12/02/1997	Wolff <i>et al.</i>	
	US4	5,792,453	08/11/1998	Hammond <i>et al.</i>	
	US5	6,121,246	09/19/2000	Isner	
	US6	6,361,946 B1	03/26/2002	Alitalo and Joukov	
	US7	6,451,764 B1	09/17/2002	Lee and Wood	
	US8	6,645,933 B1	11/11/2003	Alitalo and Joukov	
	US9	2006/0014252 A1	01/19/2006	Lyman	

## **FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	FP1	EP 0 186 084 A2	07/02/1986	Merck & Co. Inc.		
	FP2	JP 64-38100 A	02/08/1989	Toray Ind. Inc.		
	FP3	JP 2-117698 A	05/02/1990	Ajinomoto KK and Toray Ind. Inc.		
	FP4	EP 0 399 816 A1	11/28/1990	Merck & Co. Inc.		
	FP5	WO 94/11506 A1	05/26/1994	Arch Development Corporation		
	FP6	WO 97/17442 A1	05/15/1997	Immunex Corporation		
	FP7	WO 00/45835 A1	08/10/2000	Human Genome Sciences, Inc. and Rosen <i>et al.</i>		
	FP8	WO 02/11769 A1	02/14/2002	Human Genome Sciences, Inc. and Coleman		
	FP9	WO 02/083704 A1	10/24/2002	Human Genome Sciences, Inc. and Rosen <i>et al.</i>		

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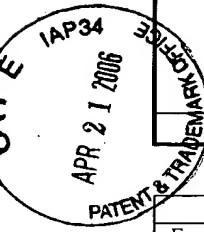
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Sheet	2	of	2	Attorney Docket Number	
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## FOREIGN PATENT DOCUMENTS

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**NINTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT**  
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Sheet

1 of 5

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	NPL1	Danis, R.P., <i>et al.</i> , "Anti-angiogenic therapy of proliferative diabetic retinopathy," <i>Exp. Opin. Pharma.</i> 2:395-407, Ashley Publications Ltd. (March 2001)	
	NPL2	Enholm, B., <i>et al.</i> , "Vascular Endothelial Growth Factor-C: A Growth Factor for Lymphatic and Blood," <i>Trends Cardiovascular Med.</i> 8:292-297, Elsevier Science, Inc. (October 1998)	
	NPL3	Ferrara, N., "Vascular Endothelial Growth Factor and the Regulation of angiogenesis," <i>Recent Prog. Hormone Res.</i> 55:15-36, The Endocrine Society (March 2000)	
	NPL4	Halin, C. and Neri, D., "Antibody-Based Targeting of Angiogenesis," <i>Crit. Rev. Ther. Drug Carrier Syst.</i> 18:299-339, Begell House, Inc. (August 2001)	
	NPL5	Longo, R., <i>et al.</i> , "Anti-angiogenic therapy: Rationale, challenges and clinical studies," <i>Angiogenesis</i> 5:237-256, Kluwer Academic Publishers (December 2002)	
	NPL6	Schlaeppi, J.-M., <i>et al.</i> , "Characterization of a new potent, in vivo neutralizing monoclonal antibody to human vascular endothelial growth factor," <i>J. Cancer Res. Clin. Oncol.</i> 125:336-342, Springer-Verlag (May 1999)	
	NPL7	van der Flier, M., <i>et al.</i> , "Antibody neutralization of vascular endothelial growth factor (VEGF) fails to attenuate vascular permeability and brain edema in experimental pneumococcal meningitis," <i>J. Neuroimmunol.</i> 160:170-177, Elsevier B.V. (March 2005)	
	NPL8	Walsh, D.A., "Angiogenesis and arthritis," <i>Rheumatology</i> 38:103-112, British Society for Rheumatology (February 1999)	
	NPL9	Winkler, K., <i>et al.</i> , "Changing the Antigen Binding Specificity by Single Point Mutations of an Anti-p24 (HIV-1) Antibody," <i>J. Immunol.</i> 165:4505-4514, The American Association of Immunologists (October 2000)	
	NPL10	NCBI Entrez, GenBank Report, Accession No. AF010302, Mandriota S.J. and Pepper, M.S., Entry date July 1997	

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	NPL11	Anderson, W.F., "Human gene therapy," <i>Nature</i> 392:25-30, Macmillan Magazines Ltd. (April 1998)		
	NPL12	Borg, J.-P., <i>et al.</i> , "Biochemical characterization of two isoforms of FLT4, a VEGF receptor-related tyrosine kinase," <i>Oncogene</i> 10:973-984, Stockton Press (March 1995)		
	NPL13	Capogrossi, M.C., "Gene Therapy of Coronary Artery Disease," Project No. Z01AG00811-01, Abstract (January 1994)		
	NPL14	Capogrossi, M.C., "Gene Therapy of Coronary Artery Disease," Project No. Z01AG00811-02, Abstract (January 1995)		
	NPL15	Choi, I.H., <i>et al.</i> , "Angiogenesis and Mineralization During Distraction Osteogenesis," <i>J. Korean Med. Sci.</i> 17:435-447, The Korean Academy of Medical Sciences (August 2002)		
	NPL16	Copy of Declaration of Dr. Karl Alitalo, In re of : U.S. Application No. 08/585,895, Alitalo <i>et al.</i> , filed January 12, 1996, submitted November 26, 1997		
	NPL17	Dias, S., <i>et al.</i> , "Vascular endothelial growth factor (VEGF)-C signaling through FLT-4 (VEGFR-3) mediates leukemic cell proliferation, survival, and resistance to chemotherapy," <i>Blood</i> 99:2179-2184, The American Society of Hematology (March 2002)		
	NPL18	English language abstract of JP 64-38100A, cited as document FP2 on Form PTO/SB/08A, Derwent Accession No. 1989-088700/198912		
	NPL19	English language abstract of JP 2-117698 A, cited as document FP3 on Form PTO/SB/08A, Derwent Accession No. 1990-181364/199024		
	NPL20	Fan, T.-P., <i>et al.</i> , "Controlling the vasculare: angiogenesis, anti-angiogenesis and vascular targeting of gene therapy," <i>Trends Pharmacol. Sci.</i> 16:57-66, Elsevier Science Ltd. (February 1995)		
	NPL21	Isner, J.M., <i>et al.</i> , "Arterial Gene Therapy for Therapeutic Angiogenesis in Patients With Peripheral Artery Disease," <i>Circulation</i> 91:2687-2692, American Heart Association, Inc. (June 1995)		

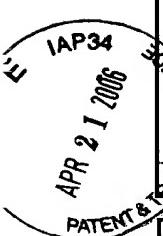
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Sheet

3 of 5

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**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume number, publisher, city and/or country where published	T <sup>2</sup>
	NPL22	Isner, J.M., <i>et al.</i> , "Gene therapy for arterial disease," <i>Lancet</i> 344:1653-1654, The Lancet Ltd. (December 1994)	
	NPL23	Isner, J.M., <i>et al.</i> , "Physiologic Assessment of Angiogenesis by Arterial Gene Therapy with Vascular Endothelial Growth," <i>J. Cell. Biochem. (Suppl. 21A)</i> :378, Abstract C6-215, Wiley-Liss (March-April 1995)	
	NPL24	Isner, J.M., <i>et al.</i> , "Therapeutic Angiogenesis in Vascular Medicine," Project No. R01 HL5335401, Abstract (March 1995)	
	NPL25	Kubo, H., <i>et al.</i> , "Blockade of vascular endothelial growth factor receptor-3 signaling inhibits fibroblasts growth factor-2-induced lymphangiogenesis in mouse cornea," <i>Proc. Natl. Acad. Sci.</i> 99:8868-8873, The National Academy of Sciences (June 2002)	
	NPL26	Kuzuya, M. and Kinsella, J.L., "Induction of Endothelial Cell differentiation In Vitro by Fibroblast-Derived Soluble Factors," <i>Exp. Cell Res.</i> 215:310-318, Academic Press, Inc. (December 1994)	
	NPL27	Maher, P.A., "Stimulation of Endothelial Cell Proliferation by Vanadate Is Specific for Microvascular Endothelial Cells," <i>J. Cell. Physiol.</i> 151:549-554, Wiley-Liss, Inc. (1992)	
	NPL28	Maynard, J. and Georgiou, G., "Antibody Engineering," <i>Annu. Rev. Biomed. Eng.</i> 2:339-376, Annual Reviews (August 2000)	
	NPL29	Mesri, E.A., <i>et al.</i> , "Expression of Vascular Endothelial Growth Factor From a Defective Herpes Simplex Virus Type I Amplicon Vector Induces Angiogenesis in Mice," <i>Circulation Res.</i> 76:161-167, American Heart Association, Inc. (February 1995)	
	NPL30	Morea, V., <i>et al.</i> , "Antibody Modeling: Implications for Engineering and Design," <i>Methods</i> 20:267-279, Academic Press (March 2000)	
	NPL31	Mülhauser, J., <i>et al.</i> , "In Vivo Gene Transfer into Porcine Cardiac Cells with a Replication-Deficient Recombinant Adenovirus Vector," <i>Circulation</i> 88:I-475, Abstract No. 2558, American Heart Association (October 1993)	

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	NPL32	Mülhauser, J., et al., "VEGF <sub>165</sub> Expressed by a Replication-Deficient Recombinant Adenovirus Vector Induces Angiogenesis In Vivo," <i>Circulation Res.</i> 77:1077-1086, American Heart Association, Inc (December 1995)			
	NPL33	Oikawa, T., et al., "Three Isoforms of Platelet-Derived Growth Factors All Have the Capacity to Induce Angiogenesis In Vivo," <i>Biol. Pharm. Bull.</i> 17:1686-1688, Pharmaceutical Society of Japan (December 1994)			
	NPL34	Pajusola, K., et al., "Signalling properties of FLT4, a proteolytically processed receptor tyrosine kinase related to two VEGF receptors," <i>Oncogene</i> 9:3545-3555, Stockton Press Ltd. (December 1994)			
	NPL35	Pepper, M.S., et al., "In Vitro Angiogenic and Proteolytic Properties of Bovine Lymphatic Endothelial Cells," <i>Exp. Cell Res.</i> 210:298-305, Academic Press, Inc. (February 1994)			
	NPL36	Plate, K.H., "From angiogenesis to lymphangiogenesis," <i>Nat. Med.</i> 7:151-152, Nature America, Inc. (February 2001)			
	NPL37	Spranger, J. and Pfeiffer, A.F.H., "New concepts in pathogenesis and treatment of diabetic retinopathy," <i>Exp. Clin. Endocrinol. Diabetes</i> 109(Suppl. 2):S438-S450, J.A. Barth Verlag (2001)			
	NPL38	Stacker, S.A. and Achen, M.G., "The Vascular Endothelial Growth Factor Family: Signalling for Vascular Development," <i>Growth Factors</i> 17:1-11, Taylor & Francis (1999)			
	NPL39	Symes, J.F., et al., "Angiogenesis: potential therapy for ischaemic disease," <i>Curr. Opin. Lipidol.</i> 5:305-312, Current Science Ltd. (August 1994)			
	NPL40	Takeshita, S. et al., "In Vivo Evidence of Enhanced Angiogenesis Following Direct Arterial Gene Transfer of the Plasmid Encoding Vascular Endothelial Growth Factor," <i>Circulation</i> 88, Abstract No. 2565, American Heart Association, Inc. (October 1993)			
	NPL41	Takeshita, S., et al., "Therapeutic Angiogenesis. A Single Intraarterial Bolus of Vascular Endothelial Growth Factor Augments Revascularization in a Rabbit Ischemic Hind Limb Model," <i>J. Clin. Invest.</i> 93:662-670, The American Society for Clinical Investigation, Inc. (February 1994)			
	NPL42	Vale, P.R., et al., "Percutaneous Electromechanical Mapping Demonstrates Efficacy of pVGI.1 (VEGF2) in an Animal Model of Chronic Myocardial Ischemia," <i>Circulation (Suppl 1.)</i> 100:I-22, Lippincott Williams & Wilkins (November 1999)			

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**Complete if Known**

Application Number	09/921,143
Filing Date	August 3, 2001
First Named Inventor	Coleman, Timothy A.
Art Unit	1636
Examiner Name	Qian, Celine X.
Attorney Docket Number	1488.100000N/HCC/PAC

**NINTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 5 of 5

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume number, publisher, city and/or country where published	T <sup>2</sup>
	NPL43	Verma, I. and Somia, N., "Gene therapy - promises, problems and prospects," <i>Nature</i> 389:239-242, Macmillan Magazines Ltd. (September 1997)	
	NPL44	Walsh, D.A. and Pearson, C.I., "Angiogenesis in the pathogenesis of inflammatory joint and lung diseases," <i>Arthritis Res.</i> 3:147-153, BioMed Central Ltd. (February 2001)	
	NPL45	Williams, R.S., "Southwestern Internal Medicine Conference: Prospects for Gene Therapy of Ischemic Heart Disease," <i>Am. J. Med. Sci.</i> 306:129-136, Lippincott Williams & Wilkins (August 1993)	
	NPL46	Witzenbichler, B., et al., "Vascular Endothelial Growth Factor-C (VEGF-C/VEGF-2) Promotes Angiogenesis in the Setting of Tissue Ischemia," <i>Am. J. Pathol.</i> 153:381-394, American Society for Investigative Pathology, Inc. (August 1998)	
	NPL47	Yeung, P.K.F., "VEGF-2 St Elizabeth's Medical Center," <i>Curr. Opin. Invest. Drugs</i> 2:796-8000, PharmaPress Ltd. (June 2001)	
	NPL48	Letter from John J. Chicca II, Ph.D., Molecular Diagnostic Services, Inc. regarding a third progress report for a project entitled "Cloning and expression of VEGF-2 gene and the efficacy of VEGF-2 protein utilizing the 3-D collagen angiogenesis assay and proliferation," dated February 16, 2006.	
	NPL49	Letter from John J. Chicca II, Ph.D., Molecular Diagnostic Services, Inc. regarding a fourth progress report for a project entitled "Cloning and expression of VEGF-2 protein utilizing the 3-D collagen angiogenesis assay and proliferation," dated march 14, 2006.	

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Examiner Signature	Date Considered

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